

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

IMMERSION CORPORATION,

Plaintiff,

v.

SAMSUNG ELECTRONICS AMERICA, INC. and
SAMSUNG ELECTRONICS CO., LTD.,

Defendants.

Case No. 2:17-cv-00572-JRG
(LEAD CASE)

Case No. 2:18-cv-00055-JRG

JURY TRIAL DEMANDED

DEFENDANT SAMSUNG'S NOTICE PURSUANT TO 35 U.S.C. § 282

Pursuant to 35 U.S.C. § 282, Defendants Samsung Electronics America, Inc. and Samsung Electronics Company, Ltd. (collectively, "Samsung"), provide notice that in the trial of the above-captioned matters, Samsung may rely on one or more of the prior art references identified in this Notice, either alone or in combination.

Samsung has already provided notice to Plaintiff Immersion Corporation ("Immersion") of the identity of certain publications, patents, and persons within the ambit of § 282 through the pleadings and correspondence in this case, including, but not limited to, invalidity contentions, expert witness reports, testimony, responses to interrogatories, disclosures under Rule 26, the Discovery Order, and the Local Patent Rules, and material disclosed in trial exhibit lists. Samsung expressly incorporates herein by reference all of the publications, patents, and specification of persons within the ambit of § 282 previously cited in these pleadings, testimony, expert reports, correspondence and other materials. Samsung also reserves the right to rely on any description of the prior art within the specifications of the asserted patents or items of prior

art cited on their face. Samsung reserves the right to amend and/or supplement this Notice to add items to this statement that were inadvertently omitted.

I. Prior Art to Asserted U.S. Patent No. 6,429,846

A. U.S. Patents

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
3,919,691**	May 26, 1971	Nov. 11, 1975	A. Michael Noll	Bell Telephone Laboratories, Incorporated
5,748,185*	Jul. 3, 1996	May 5, 1998	Allan H. Stephan, Brent N. Laporte, Stephen B. Powers, Mark McNeely	Stratos Product Development Group
5,977,867*	May 29, 1998	Nov. 2, 1999	Francois Blouin	Nortel Networks Coporation
6,037,930	Apr. 23, 1997	Mar. 14, 2000	Andrew Lawrence Wolfe, Gary Lloyd Barrett	The Whitaker Corporation
6,118,435*	Apr. 8, 1998	Sept. 12, 2000	Toshihiro Fujita, Akito Okamoto, Takuya Shioji, Keisuke Inaoka, Tomonori Nishiki, Masahiko Kawakami	Idec Izumi Corporation
6,373,463*	Oct. 14, 1998	Apr. 16, 2002	Douglas Wayne Beeks	Honeywell International Inc.

** Reference patent number was inadvertently provided as “3,919,616” at ¶ 82 of the Expert Report of Dr. Andrew Wolfe, Ph. D. on the Invalidity of U.S. Patent Nos. 6,429,846, 7,982,720, 8,031,181, and 8,619,051.

* Reference is identified in this Notice pursuant to 35 U.S.C. § 282(c) as a basis of invalidity of the asserted claims of the respective patent under 35 U.S.C. §§ 102 and/or 103 pursuant to the parties’ December 7, 2018 case-narrowing agreement. Samsung further identifies the reference for purposes of showing the state of the art in accordance with 35 U.S.C. § 282(c).

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
6,757,002*	Nov. 4, 1999	Jun. 29, 2004	Glen A. Oross, Jacques H. Helot	Hewlett-Packard Development Company, L.P.
7,592,999	Apr. 17, 2006	Sep. 22, 2009	Louis B. Rosenberg, James R. Riegel	Immersion Corporation
7,728,820	Jul. 10, 2003	Jun. 1, 2010	Louis B. Rosenberg, James R. Riegel	Immersion Corporation

B. Non-Patent Publications

Title	Publication Date	Page Numbers
T.H. Massie, “Design of a Three Degree of Freedom Force-Reflecting Haptic Interface,” produced at SAM-IMM01104667	1993	All
Apple Computer, Inc., “Macintosh Human Interface Guidelines,” produced at SAM-IMM01103743	1992	All

II. Prior Art to Asserted U.S. Patent No. 7,969,288

A. U.S. Patents

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
3,919,691**	May 26, 1971	Nov. 11, 1975	A. Michael Noll	Bell Telephone Laboratories, Incorporated
5,157,384*	Apr. 28, 1989	Oct. 20, 1992	Evon C. Greanias, Guy F. Verrier, Gordon W. Arbeitman, Alan R. Tannenbaum, Yu L. An	International Business Machines Corporation
6,037,930	Apr. 23, 1997	Mar. 14, 2000	Andrew Lawrence Wolfe, Gary Lloyd Barrett	The Whitaker Corporation
7,592,999	Apr. 17, 2006	Sep. 22, 2009	Louis B. Rosenberg, James R. Riegel	Immersion Corporation
7,728,820	Jul. 10, 2003	Jun. 1, 2010	Louis B. Rosenberg, James R. Riegel	Immersion Corporation

B. Non-U.S. Patent Application Publications

Country & Number	Filing Date	Publication Date	Named Inventors	Applicant
WO 97/04840*	Jul. 19, 1996	Feb. 13, 1997	Craig K. Poulton	Craig K. Poulton
WO 97/21160*	Nov. 26, 1996	Jun. 12, 1997	Louis B. Rosenberg, Scott B. Brave	Immersion Human Interface Corporation
WO 97/25657*	Dec. 19, 1996	Jul. 17, 1997	Chester L. Schuler, Seth M. Haberman	Lex Computer and Management Corporation

C. Non-Patent Publications

Title	Publication Date	Page Numbers
T.H. Massie, "Design of a Three Degree of Freedom Force-Reflecting Haptic Interface," produced at SAM-IMM01104667	1993	All
Apple Computer, Inc., "Macintosh Human Interface Guidelines," produced at SAM-IMM01103743	1992	All

III. Prior Art to Asserted U.S. Patent No. 7,982,720**A. U.S. Patents**

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
3,919,691**	May 26, 1971	Nov. 11, 1975	A. Michael Noll	Bell Telephone Laboratories, Incorporated
5,748,185*	Jul. 3, 1996	May 5, 1998	Allan H. Stephan, Brent N. Laporte, Stephen B. Powers, Mark McNeely	Stratos Product Development Group
5,977,867*	May 29, 1998	Nov. 2, 1999	Francois Blouin	Nortel Networks Corporation
6,037,930	Apr. 23, 1997	Mar. 14, 2000	Andrew Lawrence Wolfe, Gary Lloyd Barrett	The Whitaker Corporation

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
6,118,435*	Apr. 8, 1998	Sept. 12, 2000	Toshihiro Fujita, Akito Okamoto, Takuya Shioji, Keisuke Inaoka, Tomonori Nishiki, Masahiko Kawakami	Idec Izumi Corporation
6,757,002*	Nov. 4, 1999	Jun. 29, 2004	Glen A. Oross, Jacques H. Helot	Hewlett-Packard Development Company, L.P.
7,592,999	Apr. 17, 2006	Sep. 22, 2009	Louis B. Rosenberg, James R. Riegel	Immersion Corporation
7,728,820	Jul. 10, 2003	Jun. 1, 2010	Louis B. Rosenberg, James R. Riegel	Immersion Corporation

B. Non-Patent Publications

Title	Publication Date	Page Numbers
T.H. Massie, "Design of a Three Degree of Freedom Force-Reflecting Haptic Interface," produced at SAM-IMM01104667	1993	All
Apple Computer, Inc., "Macintosh Human Interface Guidelines," produced at SAM-IMM01103743	1992	All

IV. Prior Art to Asserted U.S. Patent No. 8,031,181

A. U.S. Patents

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
3,919,691**	May 26, 1971	Nov. 11, 1975	A. Michael Noll	Bell Telephone Laboratories, Incorporated
5,748,185*	Jul. 3, 1996	May 5, 1998	Allan H. Stephan, Brent N. Laporte, Stephen B. Powers, Mark McNeely	Stratos Product Development Group

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
5,977,867*	May 29, 1998	Nov. 2, 1999	Francois Blouin	Nortel Networks Corporation
6,037,930	Apr. 23, 1997	Mar. 14, 2000	Andrew Lawrence Wolfe, Gary Lloyd Barrett	The Whitaker Corporation
6,118,435*	Apr. 8, 1998	Sep. 12, 2000	Toshihiro Fujita, Akito Okamoto, Takuya Shioji, Keisuke Inaoka, Tomonori Nishiki, Masahiko Kawakami	Idec Izumi Corporation
6,373,463*	Oct. 14, 1998	Apr. 16, 2002	Douglas Wayne Beeks	Honeywell International Inc.
6,757,002*	Nov. 4, 1999	Jun. 29, 2004	Glen A. Oross, Jacques H. Helot	Hewlett-Packard Development Company, L.P.
7,592,999	Apr. 17, 2006	Sep. 22, 2009	Louis B. Rosenberg, James R. Riegel	Immersion Corporation
7,728,820	Jul. 10, 2003	Jun. 1, 2010	Louis B. Rosenberg, James R. Riegel	Immersion Corporation

B. Non-Patent Publications

Title	Publication Date	Page Numbers
T.H. Massie, "Design of a Three Degree of Freedom Force-Reflecting Haptic Interface," produced at SAM-IMM01104667	1993	All
Apple Computer, Inc., "Macintosh Human Interface Guidelines," produced at SAM-IMM01103743	1992	All

V. Prior Art to Asserted U.S. Patent No. 8,619,051**A. U.S. Patents**

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
3,919,691**	May 26, 1971	Nov. 11, 1975	A. Michael Noll	Bell Telephone Laboratories, Incorporated
6,037,930	Apr. 23, 1997	Mar. 14, 2000	Andrew Lawrence Wolfe, Gary Lloyd Barrett	The Whitaker Corporation
7,592,999	Apr. 17, 2006	Sep. 22, 2009	Louis B. Rosenberg, James R. Riegel	Immersion Corporation
7,728,820	Jul. 10, 2003	Jun. 1, 2010	Louis B. Rosenberg, James R. Riegel	Immersion Corporation

B. U.S. Patent Application Publications

Number	Filing Date	Publication Date	Named Inventors
2005/0219206*	Sep. 27, 2004	Oct. 6, 2005	Bruce M. Schena, Erik Shahoian
2006/0129719*	Nov. 8, 2004	Jun. 15, 2006	Juan Manuel Cruz-Hernandez, Henrique D. Da Costa, Dany A. Grant, Robert A. Lacroix

C. Non-U.S. Patent Application Publications

Country & Number	Filing Date	Publication Date	Named Inventors	Applicant
WO 2005/085981*	Feb. 3, 2004	Sep. 15, 2005	Jussi Malmberg, Jvri P. Salomaa	Nokia Corporation
WO 99/40504*	Feb. 2, 1999	Aug. 12, 1999	Ehud Baron, Michael Mordison	InMotion Technologies Ltd.

D. Non-Patent Publications

Title	Publication Date	Page Numbers
T.H. Massie, "Design of a Three Degree of Freedom Force-Reflecting Haptic Interface," produced at SAM-IMM01104667	1993	All
Apple Computer, Inc., "Macintosh Human Interface Guidelines," produced at SAM-IMM01103743	1992	All

VI. Prior Art to Asserted U.S. Patent No. 9,323,332**A. U.S. Patents**

Number	Filing Date	Issue Date	Named Inventors	Original Assignees
3,919,691**	May 26, 1971	Nov. 11, 1975	A. Michael Noll	Bell Telephone Laboratories, Incorporated
5,157,384*	Apr. 28, 1989	Oct. 20, 1992	Evon C. Greanias, Guy F. Verrier, Gordon W. Arbeitman, Alan R. Tannenbaum, Yu L. An	International Business Machines Corporation
5,742,278*	Nov. 1, 1995	Apr. 21, 1998	Elaine Y. Chen, Bin An, Timothy R. Osborne, Paul Dilascia, Matthew Coill	Microsoft Corporation
6,037,930	Apr. 23, 1997	Mar. 14, 2000	Andrew Lawrence Wolfe, Gary Lloyd Barrett	The Whitaker Corporation
6,209,011*	May 8, 1997	Mar. 27, 2001	William Vong, Chad Schwitters	Microsoft Corporation
7,592,999	Apr. 17, 2006	Sep. 22, 2009	Louis B. Rosenberg, James R. Riegel	Immersion Corporation
7,728,820	Jul. 10, 2003	Jun. 1, 2010	Louis B. Rosenberg, James R. Riegel	Immersion Corporation

B. Non-U.S. Patent Application Publications

Country & Number	Filing Date	Publication Date	Named Inventors	Applicant
WO 97/21160*	Nov. 26, 1996	Jun. 12, 1997	Louis B. Rosenberg, Scott B. Brave	Immersion Human Interface Corporation
WO 97/25657*	Dec. 19, 1996	Jul. 17, 1997	Chester L. Schuler, Seth M. Haberman	Lex Computer and Management Corporation

C. Non-Patent Publications

Title	Publication Date	Page Numbers
R.B. Gillespie and S. O'Modhrain, "The Moose: A Haptic User Interface for Blind Persons with Application to the Digital Sound Studio," produced at SAM-IMM00000515*	Oct., 1995	All
T.H. Massie, "Design of a Three Degree of Freedom Force-Reflecting Haptic Interface," produced at SAM-IMM01104667	1993	All
Apple Computer, Inc., "Macintosh Human Interface Guidelines," produced at SAM-IMM01103743	1992	All

Date: April 11, 2019

Respectfully submitted,

By: /s/ Stephen A. Marshall

Ruffin B. Cordell
TX Bar No. 04820550
cordell@fr.com
Michael J. McKeon
D.C. Bar No. 459780
mckeon@fr.com
Indranil Mukerji
MA Bar 644059
mukerji@fr.com
Stephen A. Marshall
D.C. Bar No. 1012870
smarshall@fr.com
FISH & RICHARDSON P.C.
1000 Maine Avenue, SW
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

Leonard E. Davis
TX Bar No. 05521600
ldavis@fr.com
FISH & RICHARDSON P.C.
1717 Main Street, Suite 5000
Dallas, TX 75201
Telephone: (214) 747-5070
Facsimile: (214) 747-2091

Frank J. Albert
CA Bar No. 247741
albert@fr.com
FISH & RICHARDSON P.C.
12390 El Camino Real
San Diego, CA 92150
Telephone: (858) 678-5070
Facsimile: (858) 378-5099

Melissa Smith
TX Bar No. 24001351
melissa@gillamsmithlaw.com
GILLAM & SMITH LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934 – 8450
Facsimile: (903) 934-9257

**COUNSEL FOR DEFENDANTS SAMSUNG
ELECTRONICS AMERICA, INC. AND SAMSUNG
ELECTRONICS CO., LTD.**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Pursuant to Local Rule CV-5(a)(7)(D), all counsel of record were served with a true and correct copy of the foregoing by email on this 11th day of April 2019.

/s/ Stephen A. Marshall